



ATTORNEY DOCKET NO.: 051252-5189

AFH  
3729  
Jfw

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Michael P. DALLMEYER et al.

Application No.: 09/820,672

Filed: March 30, 2001

For: METHOD OF MANUFACTURING A  
MODULAR FUEL INJECTOR

Confirmation No.: 4276

Group Art Unit: 3729

Examiner: P. Kim

Commissioner for Patents  
U.S. Patent and Trademark Office  
2011 South Clark Place  
**Customer Window, Mail Stop AF**  
Crystal Plaza Two, Lobby, Room 1B03  
Arlington, VA 22202

Sir:

**AMENDMENT AND REQUEST FOR RECONSIDERATION  
UNDER 37 C.F.R. § 1.116 TRANSMITTAL FORM**

1. Transmitted herewith is an Amendment in response to the Final Office Action dated November 14, 2003 and subsequent to a Notice of Appeal filed March 15, 2004.
2. Additional papers enclosed:

- ☐ Drawings: ☐ Formal ☐ Informal
- ☐ Information Disclosure Statement
- ☐ Form PTO-1449, \_\_\_\_\_ references included
- ☐ Citations
- ☐ Declaration of Biological Deposit
- ☐ Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.

3. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

☐ Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that Applicants have inadvertently overlooked the need for a petition and fee for extension of time.

☒ Applicants petition for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

| <u>Total Months<br/>Requested</u>             | <u>Fee for<br/>Extension</u> | <u>[Fee for Small<br/>Entity]</u> |
|---|------------------------------|-----------------------------------|
| <input checked="" type="checkbox"/> one month | \$ 110.00                    | \$ 55.00                          |
| <input type="checkbox"/> two months           | \$ 420.00                    | \$ 210.00                         |
| <input type="checkbox"/> three months         | \$ 950.00                    | \$ 475.00                         |
| <input type="checkbox"/> four months          | \$ 1,480.00                  | \$ 740.00                         |

Extension of time fee due with this request: \$110.00.

If an additional extension of time is required, please consider this a Petition therefor.

☐ An extension for \_\_\_\_\_ months has already been secured and the fee paid therefor of \$\_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

4. Constructive Petition

☒ **EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

5. Fee Calculation (37 C.F.R. §1.16)

| CLAIMS AS AMENDED                                     |   |       |                                |                  |               |            |
|---|---|-------|--------------------------------|------------------|---------------|------------|
|   | Claims<br>Remaining<br>After<br>Amendment |       | Highest No.<br>Previously Paid | Present<br>Extra | at Rate of    | Total Fees |
| Total Claims<br>(37 C.F.R. §1.16(c))                  | 24  | minus | 24                             | 4                | x \$18 each = | + \$0.00   |
| Independent Claims<br>(37 C.F.R. §1.16(b))            | 2   | minus | 3                              | 0                | x \$84 each = | + \$0.00   |
| [ ] First presentation of Multiple dependent claim(s) |   |       |                                |                  | \$280.00      | + \$0.00   |
| SUB-TOTAL =   |   |       |                                |                  |               | \$0.00     |
| Reduction by ½ for filing by a small entity           |   |       |                                |                  |               | - \$0.00   |
| TOTAL FEE =   |   |       |                                |                  |               | \$0.00     |

6. Fee Payment

- ☐ No fee is to be paid at this time.
- ☒ The Commissioner is hereby authorized to charge the amount of \$110.00 for the one-month extensive of time fee to Deposit Account No. 50-0310.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**

Dated: May 26, 2004

By: Khoi Q. Ta  
Reg. No. 47,300

**CUSTOMER NO. 09629**  
**MORGAN, LEWIS & BOCKIUS LLP**  
 1111 Pennsylvania Avenue, N.W.  
 Washington, D.C. 20004  
 Tel. 202-739-3000  
 Fax 202-739-3001



ATTORNEY DOCKET NO. 051252-5189

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

|                                |   |                        |
|--------------------------------|---|------------------------|
| In re Application of:          | ) |                        |
| Michael P. DALLMEYER et al.    | ) | Confirmation No.: 4276 |
| Application No.: 09/820,672    | ) | Group Art Unit: 3729   |
| Filed: March 30, 2001          | ) | Examiner: P. Kim       |
| For: METHOD OF MANUFACTURING A | ) |                        |
| MODULAR FUEL INJECTOR          | ) |                        |

**Customer Window, Mail Stop AF**  
Commissioner for Patents  
U.S. Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**AMENDMENT AND REQUEST FOR  
RECONSIDERATION UNDER 37 C.F.R. § 1.116**

In response to the Final Office Action mailed November 14, 2003, the Advisory Action mailed March 04, 2004, which period for response extends through June 15, 2004 by the filing of a Notice of Appeal on March 15, 2004 and the concurrently filed petition for one-month extension of time, applicants request entry and reconsideration of the amended pending claims to simplify issues for appeal:

05/27/2004 EFLORES 00000092 500310 09820672  
01 FC:1251 110.00 DA